

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2000-040-C - ORDER NO. 2000-0124
FEBRUARY 3, 2000

IN RE: Petition of e.spire Communications, Inc. for)
Arbitration of an Interconnection Agreement) ORDER ESTABLISHING
with BellSouth Telecommunications, Inc.) ARBITRATION PLAN
Pursuant to Section 252(b) of the) AND SCHEDULE
Communications Act of 1934, as Amended)

VDD

This matter comes before the Public Service Commission of South Carolina ("Commission") on a Petition for Arbitration filed by e.spire Communications, Inc. ("e.spire") on January 21, 2000, involving it and BellSouth Telecommunications, Inc. ("BellSouth"). Section 252 (b)(4)(C) of the Telecommunications Act of 1996 requires that a state commission hear and rule on a petition for arbitration no later than 9 months after the date on which the local exchange carrier received the request for negotiation. We must therefore hear and rule on this matter on or before May 17, 2000. Accordingly, we will rule on various procedural matters connected with this case in this Order, and establish an Arbitration Plan.

The Arbitration Hearing in this Docket shall begin at **11:00 A.M. on Monday, April 3, 2000**, in the Commission Hearing Room.

The Commission hereby orders that twenty-five (25) copies of the testimony and exhibits of e.spire shall be prefiled on or before **March 13, 2000**. Further, twenty-five (25) copies of the testimony and exhibits of BellSouth shall be prefiled on or before

March 22, 2000. e.spire shall prefile any rebuttal testimony and exhibits on or before **March 29, 2000**, and BellSouth shall prefile any surrebuttal testimony and exhibits on or before **March 31, 2000**. It should be noted that acceptance of surrebuttal testimony and exhibits is subject to the discretion of the Commission.

The parties shall serve the other parties with copies of all prefiled testimony and exhibits. Service on the parties and the Commission shall be made by hand-delivery on the dates herein specified. If service cannot be accomplished by hand-delivery on the dates indicated herein, service may be accomplished by facsimile transmission of the prefiled testimony and exhibits by the close of business on the dates specified with over-night delivery of the testimony and exhibits to follow.

All parties are reminded that all witnesses must be present during the hearing in this matter at the call of the Chairman, or the Commission may decline to allow the witnesses' testimony to be read into the record of the proceeding, and/or may decline to allow the witnesses' exhibits to be entered into the evidence of the case.

Further, e.spire and BellSouth, as well as any participants in this matter, may submit a non-binding list of questions to the Arbitrator (the Commission) on or before **March 27, 2000**.

Opening statements of the parties and any participants will be allowed at the beginning of the hearing. Closing statements of the parties and any participants will be allowed at the conclusion of the hearing.

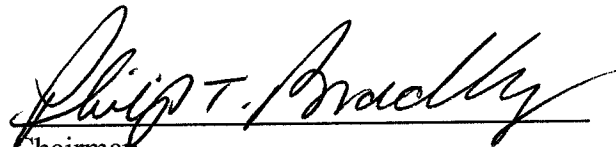
Direct testimony and exhibits of the parties' witnesses shall be presented to the Arbitrator in a panel format, with all witnesses being sworn in concurrently. Examination

of the witnesses shall be conducted by the Arbitrator or its designee. The examination may be directed to specific witnesses or to the entire panel of witnesses. Responses by other party to the examination may be allowed at the discretion of the Arbitrator.

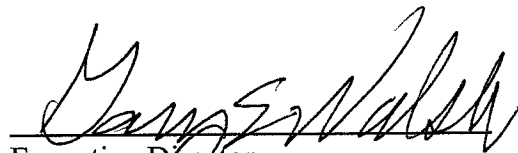
Please note that any party requesting modification of this schedule must file a request for such modification with the Commission.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)